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STATEMENT BY APPLICANT

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Sheet 1 of 5

Application Number	Continuation of 08/548,840
Filing Date	June 12, 2000
First Named Inventor	David P. Martin
Group Art Unit	1651
Examiner Name	LML106
Attorney Docket Number	MBX 012 CON

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	US Patent Document		Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
Hy	5,229,279	Peoples, et al.		07-20-1993	
Hy	5,245,023	Peoples, et al.		09-14-1993	
Hy	5,250,430	Peoples, et al.		10-05-1993	
Hy	5,821,299	Noda		10-13-1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
Hy	WO	91/00917			Massachusetts Institute of Technology	01-24-1991		
Hy	WO	92/19747			Imperial Chemical Industries, PLC	11-12-1992		
Hy	WO	93/02187			Michigan State University	02-04-1993		
Hy	WO	93/02194			Imperial Chemical Industries, PLC	02-04-1993		
Hy	WO	93/11656			Firmenich, S.A.	06-10-1993		
Hy	WO	94/07940			Zeneca Limited	04-14-1994		
Hy	WO	94/11519			Zeneca Limited	05-26-1994		
Hy	WO	94/12014			Agracetus, Inc.	06-09-1994		
Hy	WO	94/23027			Zeneca Limited	10-13-1994		
Hy	WO	94/26917			Zeneca Limited	11-24-1994		
Hy	WO	95/05472			Michigan State University	02-23-1995		
Hy	WO	96/03468			Imperial Chemical Industries, PLC	02-08-1995		
Hy	WO	96/06179			Zeneca Limited	02-29-1996		

Examiner Signature	<i>Robert Sellen</i>	Date Considered	<i>2/20/02</i>
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Sheet	2	of	5	Attorney Docket Number	MBX 012 CON

OTHER ART -- NON PATENT LITERATURE DOCUMENTS					
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
BY		BYROM, "Miscellaneous Biomaterials", in <u>Biomaterials</u> , (D. Byrom, ed.) Chapter 8, pp. 333-59, (MacMillan Publishers, London, 1991).			
		CARR, "Processing of Oilseed Crops," <u>Oil Crops of the World</u> , (Röbbelen, et al., eds.) Chapter 11, pp. 226-59 (McGraw-Hill Publishing Company, 1989).			
		DE SMET, et al., "Characterization of Intracellular Inclusions Formed by <i>Pseudomonas oleovorans</i> During Growth on Octane," <i>J. Bacteriol.</i> 154(1):870-78 (1983).			
		GASSER, et al., "Genetically Engineering Plants for Crop Improvement," <i>Science</i> 244:1293-99 (1989).			
		*GRIEBEL, et al., "Metabolism of Poly-β-hydroxybutyrate. I. Purification, Composition, and Properties of Native Poly-β-hydroxybutyrate granules from <i>Bacillus megaterium</i> ," <i>Biochemistry</i> 7:3676-81 (1968).			
		GRIESBECK, et al., "Einfache Umwandlung von (--)-(R)-3-Hydroxybuttersäure in das (+)-(S)-Enantiomere und dessen Lacton (--)-(S)-4-Methyloxetan-2-on," <i>Helv. Chim. Acta</i> 70:1320-25 (1987).			
		HOCKING, et al., "Biopolymers," <u>Chemistry and Technology of Biodegradable Polymers</u> , (Griffin, ed.) Chapter 4, pp. 48-96, (Chapman and Hall, London, 1994).			
		HOLMES, "Biologically Produced (R)-3-hydroxyalkanoate Polymers and Copolymers," <u>Developments in Crystalline Polymers</u> , (Bassett, ed.) Vol. 1, pp. 1-65 (Elsevier, London, 1988).			
		LAFFERTY, et al., "Microbial Production of Poly-β-Hydroxybutyric Acid," <u>Biotechnology</u> , (Rehm, et al., eds.) Chapter 6, pp. 135-76 (Verlagsgesellschaft, Weinheim, 1988).			
44		*LAW & SLEPECKY, "Assay of poly-β-hydroxybutyric acid," <i>J. Bacteriol.</i> 82:33-36 (1961).			

Examiner's Signature	<i>By</i>	Date Considered	<i>2/20/02</i>
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				Application Number	Continuation of 08/548,840
				Filing Date	June 12, 2000
				First Named Inventor	David P. Martin
				Group Art Unit	1657
				Examiner Name	
Sheet	3	of	5	Attorney Docket Number	MBX 012 CON

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Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
4		LEMOIGNE, et al., "Fermentation β -Hydroxybutyrique," <i>Annales des Fermentations</i> 5:527-36 (1925).	
		LIEBERSGESELL, et al., "Cloning and nucleotide sequences of genes relevant for biosynthesis of poly(3-hydroxybutyric acid) in <i>Chromatium vinosum</i> strain D," <i>European J. Biochem.</i> 209:135-50 (1992).	
		LIEBERSGESELL, et al., "Cloning and molecular analysis of the poly(3-hydroxybutyric acid) biosynthetic genes of <i>Thiocystis violacea</i> ," <i>Appl. Microbiol. Biotechnol.</i> 38:493-501 (1993).	
		MÜLLER, et al., "Poly(hydroxyalkanoates): A Fifth Class of Physiologically Important Organic Biopolymers?" <i>Angew. Chem. Int. Ed. Engl.</i> 32:477-502 (1993).	
		NAWRATH, et al., "Targeting of the polyhydroxybutyrate biosynthetic pathway to the plastids of <i>Arabidopsis thaliana</i> results in high levels of polymer accumulation," <i>Proc. Natl. Acad. Sci. USA</i> 91:12760-64 (1994).	
		PEOPLES, et al. "Biosynthetic Thiolase from <i>Zoogloea ramigera</i> ," <i>J. Biol. Chem.</i> 262(1):97-102 (1987).	
		PEOPLES, et al., "Fine structural analysis of the <i>Zoogloea ramigera</i> <i>phbA-phbB</i> locus encoding β -ketothiolase and acetoacetyl-CoA reductase: nucleotide sequence of <i>phbB</i> ," <i>Molecular Microbiol.</i> 3(3):349-57 (1989).	
		PEOPLES, et al., "Poly- β -hydroxybutyrate (PHB) Biosynthesis in <i>Alcaligenes eutrophus</i> H16," <i>J. Biol. Chem.</i> 264(26):15298-303 (1989).	
		PEOPLES, et al., "Poly- β -hydroxybutyrate Biosynthesis in <i>Alcaligenes eutrophus</i> H16: Characterization of the Genes Encoding β -Ketothiolase and Acetoacetyl-CoA Reductase," <i>J. Biol. Chem.</i> 264(26):15293-97 (1989).	
6/29		PEOPLES, et al., "Polyhydroxybutyrate (PHB): A Model System for Biopolymer Engineering," <i>Prog. Biotechnol.</i> 3:51-56 (1987).	

Examiner's Signature	<i>Heather Lee</i>	Date Considered	6/29/02
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				Group Art Unit	1657
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Sheet	4	of	5	Attorney Docket Number	MBX 012 CON

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WY		PLATTNER, et al., "Cyclisch Oligomere von(R)-3-Hydroxybuttersäuer: Herstellung und strukturelle Aspekte," <i>Helv. Chim. Acta</i> 76:2004-33 (1993).	
		POIRIER, et al., "Polyhydroxybutyrate, a Biodegradable Thermoplastic, Produced in Transgenic Plants," <i>Science</i> 256:520-23 (1992).	
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		SALUNKHE, et al., eds., <i>World Oilseeds: Chemistry, Technology, and Utilization</i> , (Van Nostrand Reinhol, New York, 1992).	
		SCHUBERT, et al., "Cloning of the <i>Alcaligenes eutrophus</i> Genes for Synthesis of Poly-β-Hydroxybutyric Acid (PHB) and Synthesis of PHB in <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 170(12):5837-5847 (1988).	
		SEEBACH, et al., "Biological-Chemical Preparation of 3-Hydroxycarboxylic Acids and Their Use in EPC-Synthesis," in <i>Stereochemistry of Organic and Bioorganic Transformations</i> , (Bartmann, et al., eds.) pp. 85-126 (VCH, Weinheim, 1987).	
		SEEBACH, et al., "Direct Degradation of the Biopolymer PO Hydroxybutyric Acid to (R)-3-Hydroxybutanoic Methyl Ester," <i>Org. Synth.</i> 71:39-47 (1992).	
		SEEBACH, et al., "Partial Depolymerization and Solubilization of Poly[(R)-3-hydroxybutanoate] (PHB) and Its Copolymer with (R)-3-Hydroxyvalerate (BIOPOL®) by Treatment with Li-Amides/LiCl in Tetrahydrofuran at Low Temperature," <i>Chimia</i> 44:112-116 (1990).	
		SEEBACH, et al., "Synthesis of Linear Oligomers of (R)-3-Hydroxybutyrate and Solid-State Structural Investigations by Electron Microscopy and X-Ray Scattering," <i>Helv. Chim. Acta</i> , 77:1099-1123 (1994).	
SOI		SEEBACH, et al., "The Triolide of (R)-3-Hydroxybutyric acid--Direct Preparation from Polyhydroxybutyrate and Formation of a Crown Estercarbonyl Complex with Na Ions," <i>Angew. Chem. Int. Ed. Eng.</i> 31(4):434-435 (1992).	

Examiner's Signature	<i>W. Heller</i>	Date Considered	2/20/02
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<i>MM</i>		SLATER, et al., "Cloning and Expression in <i>Escherichia coli</i> of the <i>Alcaligenes eutrophus</i> H16 Poly- β -Hydroxybutyrate Biosynthetic Pathway," <i>J. Bacteriol.</i> 170(10):4431-4436 (1988).	
		STEINBÜCHEL, "Polyhydroxyalkanoic Acids," in <i>Biomaterials</i> , (Byrom, ed.) Chapter 3, pp. 123-213 (MacMillan Publishers, London, 1991).	
		STEINBÜCHEL, et al. "Molecular basis for biosynthesis and accumulation of polyhydroxyalkanoic acids in bacteria," <i>FEMS Microbiology Reviews</i> 103:217-230 (1992).	
<i>WJ</i>		WATSON, et al., eds., <i>Corn: Chemistry and Technology</i> , (American Association of Cereal Chemists Inc., St. Paul, Minnesota 1994).	

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